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PATENT
Attorney Docket No. FJN-077

#814.R
09/23/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Tani et al.
SERIAL NO.: 09/423,905 GROUP NO.: 1643
FILING DATE: November 16, 1999 EXAMINER: Not yet assigned
TITLE: Therapeutic Agent For Preventing And/Or Treating Sepsis

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, Washington, DC 20231 on this 11th day of July, 2000.

A handwritten signature in black ink that appears to read "Sarah J. Blackwell".

Sarah J. Blackwell

Commissioner for Patents
Washington, D.C. 20231

RECEIVED

Sir:

JUL 24 2000

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Submitted herewith is/are:

Certificate of First Class Mailing (1 pg.); Transmittal Form (1 pg.); Information Disclosure Statement (2 pgs.); Form PTO-1449 (1 pg.) with U.S. patent document AA and Foreign patent documents BA-BB attached; Copy of International Search Report (2 pgs.); and mailroom postcard.

FAIRCHIL3999/81.1020989_1

**TRANSMITTAL
FORM**



Application Serial Number	09/423,905
Filing Date	November 16, 1999
First Named Inventor	Tani
Group Art Unit	1643
Examiner Name	Not yet assigned
Attorney Docket No.	FJN-077

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____] <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Information Disclosure Statement Form PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Appeal Communication to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (<i>Appeal Notice, Brief, Reply Brief</i>) <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (<i>please identify below</i>) - International Search Report
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CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Date: July 11, 2000 Reg. No. 39,061 Tel. No.: (617) 248-7368 Fax No.: (617) 248-7100 <p style="text-align: right;">Respectfully submitted,</p> <p>Christine C. Vito Attorney for Applicant(s) Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110</p>



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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the provisions of 37 C.F.R. §1.97, Applicants hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the references are enclosed. Also enclosed is a copy of the International Search Report in the instant application's PCT counterpart, PCT/JP99/01373. Applicants request that the foregoing submissions be entered and considered by the Examiner.

REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed (CHECK ONE):

- (1) within three (3) months of the **Filing Date** or before the mailing date of the **First Office Action** on the merits; or
- (2) after the period defined in (1) but before the mailing date of a **Final Rejection** or **Notice of Allowance**, and
 - the requisite Statement is below, **OR**
 - the requisite fee under Rule 1.17(p), namely **\$240.00**, is included herein, or
- (3) after the mailing date of a **Final Rejection** or **Notice of Allowance** but before the payment of the **Issue Fee**, **AND**
 - Applicant hereby Petitions the Commissioner to accept and consider the attached Information Disclosure Statement, **AND**
 - the requisite Statement is below, **AND**

Information Disclosure Statement

Serial No.: 09/423,905

Page 2 of 2

the requisite petition fee due under Rule 1.17(i)(I), namely \$130.00 is included herein.

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application.

STATEMENT

As required under §1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

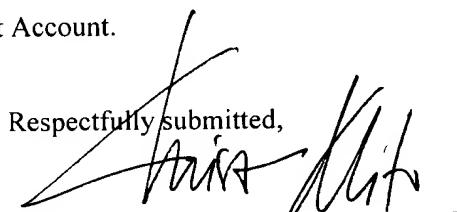
1. [E]ach item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application **not more than** three months prior to the filing date of the Information Disclosure Statement; or

2. [N]o item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any** individual designated in §1.56(c) **more than** three months prior to the filing of the Information Disclosure Statement.

FEES AUTHORIZATION

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 20-0531. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,


Christine C. Vito
Attorney for Applicant(s)
Testa, Hurwitz, & Thibeault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110

Date: July 11, 2000
Reg. No. 39,061

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